

From: [Sales, Benjamin A. \(USTP\)](#)
To: ["Rob Goering"](#)
Cc: [Wilsbacher, MaryAnne \(USTP\)](#)
Subject: RE: Bair 18-12585 - UST Request for Information and Documents
Date: Wednesday, March 27, 2019 1:08:00 PM
Attachments: [REDACTED]

Dear Rob,

Thank you for the update on Debtor's progress, or lack thereof, in responding to the UST's requests for information. If you could please instruct your client to answer the questions and produce copies of the specific checks requested in the March 6, 2019 email, it would be a good place to start in narrowing down the UST's request.

In further explanation for our request, copies of checks written in 2017 in the Bair Build bank accounts, and Debtor's personal bank accounts, are necessary in light of Debtor's testimony at her 2004 exam that she possesses no check registers or other financial records after losing her QuickBooks account. Thus, the checks are the only way the UST can attempt to sort out Debtor's personal and business affairs. Additionally, because the company debit card appears to have been used for personal expenditures as a matter of course, the UST needs to determine whether Debtor similarly wrote personal checks out of the Bair Build account.

[REDACTED]

[REDACTED]

[REDACTED]

We look forward to hearing from you soon.

Benjamin A. Sales, Esq.
Attorney for the United States Trustee

From: Rob Goering <rob@goering-law.com>
Sent: Monday, March 25, 2019 11:29 AM
To: Sales, Benjamin A. (USTP) <Benjamin.A.Sales@UST.DOH.GOV>
Cc: Wilsbacher, MaryAnne (USTP) <MaryAnne.Wilsbacher@UST.DOH.GOV>
Subject: RE: Bair 18-12585 - UST Request for Information and Documents

I meet with her last week and she is trying to get the information. She will have to pay for Checks etc and doesn't have money to do that. Perhaps narrow the request, this is a bit much.

Robert A. Goering
Attorney at Law
Goering & Goering LLC
220 West Third Street
Cincinnati, Ohio 45202
513-621-0912 phone
513-621-6042 fax
rob@goering-law.com

The information contained in the E-mail message is attorney privileged and confidential information intended only for the use of the individual or entity names above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us at 513-621-0912. Disclosure: Nothing contained herein or in any attachment hereto is intended to be used, or can be used, to avoid penalties under the Internal Revenue Code.

From: Sales, Benjamin A. (USTP) [<mailto:Benjamin.A.Sales@usdoj.gov>]
Sent: Monday, March 25, 2019 10:36 AM
To: Rob Goering
Cc: Wilsbacher, MaryAnne (USTP)
Subject: RE: Bair 18-12585 - UST Request for Information and Documents

Dear Rob,

This email serves as a follow-up to the UST's document request email sent March 6, 2019. The email set a deadline of March 21, 2019 for producing the requested documents and information. I have not received any documentation or further communication from you. Please let me know when I can expect the documents to be delivered.

Sincerely,

Benjamin A. Sales, Esq.
Attorney for the United States Trustee

From: Sales, Benjamin A. (USTP)
Sent: Wednesday, March 6, 2019 5:31 PM
To: Rob Goering <rob@goering-law.com>

Cc: Wilsbacher, MaryAnne (USTP) <MaryAnne.Wilsbacher@UST.DNJ.GOV>

Subject: Bair 18-12585 - UST Request for Information and Documents

Dear Rob,

Thank you very much for providing some of the requested documents last week on 2/28/19. After reviewing the bank statements and documents provided, questions arise regarding some of the transactions disclosed therein. Please provide the U.S. Trustee with the following information, explanations, and documents within the next two weeks:

Please provide a detailed explanation for the source of deposits into Debtor's checking account ending in x4732 on the following dates:

- ✓ \$15,000 on 5/5/17
- ✓ \$35,000 on 5/18/17
- ✓ \$30,000 on 6/27/17

Please provide copies of canceled checks for all checks written out of the checking account ending in 4732 in 2017, including the cashed checks identified in item # 3 below. Please also include the cashier's check for \$7,551.72 from 6/22/17.

Please provide detail (who the checks were made payable to and for what debt) for the following cashed checks during May and June 2017:

- ✓ #7174 - \$3,400
- ✓ #7179 - \$3,224.40
- ✓ #7185 - \$1,146.77
- ✓ #7187 - \$1,524.40
- ✓ #7190 - \$1,800
- ✓ #7194 - \$26,500

Please provide copies of the following checks deposited into the DSB2 Holdings account ending in x9491:

- ✓ \$20,000 deposited on 7/6/17
- ✓ \$10,000 deposited on 9/5/17
- ✓ \$1,000 deposited on 10/10/17
- ✓ \$10,000 deposited on 10/27/17
- ✓ \$5,000 deposited on 1/8/18

It appears that virtually all of the above funds deposited into the DSB2 Holdings account referenced in #4 above were withdrawn as cash by the end of 2017. Please provide a detailed accounting of how those funds were spent, as well as any supporting documentation.

Your note on the documents provided on 2/28/2019 says that the Debtor no longer has access to the bank account ending x4456 for 1537 Republic, LLC. Please provide a detailed explanation for why she no longer has access, especially given that she already provided six months of statements before I questioned her about the company at her 2004 Exam. Please also provide a detailed explanation for any transfer of ownership of 1537 Republic, LLC, if that is the reason Debtor no longer has access to the bank account. The SOS paperwork says that Bair Properties was the statutory agent when Debtor's son filed the formation documents and Ms. Bair testified at her [2004 Exam that 1537 Republic was one of Bair Build's](#) projects.

Please provide copies of all canceled checks written from the Bair Build bank account ending in x4893 in 2017 (per my email request dated 9/20/18).

Please provide bank statements for Debtor's savings account ending in x6725 for the period January 2017 - present (per my email request dated 2/14/19).

We look forward to receiving your response with the requested information, explanations, and documents by March 21st. Please don't hesitate to contact me if you need clarification or additional time. Thank you for your continued cooperation.

Regards,

Ben
[\(513\) 684-6988 x223](#)

Sent from my Verizon, Samsung Galaxy smartphone